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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,587	09/27/2001	Sundar J. Rajan	54676US002	2684
32692 7590 01/26/2009 3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427 ST. PAUL, MN 55133-3427				
EXAMINER CHEVALIER, ALICIA ANN				
ART UNIT		PAPER NUMBER		
1794				
NOTIFICATION DATE		DELIVERY MODE		
01/26/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte SUNDAR J. RAJAN, ROBERTA E. HARELSTAD  
and JOEY L. REULE

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Application No. 09/937,587  
Technology Center: 1700

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Mailed: January 26, 2009

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Before GLORIA HENDERSON, *Review Team Paralegal*  
HENDERSON, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on December 15, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

APPEAL BRIEF – CLAIMS APPENDIX

On August 23, 2007, appellants filed an Appeal Brief. A review of the file reveals that claims 1 and 18 in the appendix of the Appeal Brief is not consistent as amended in the Amendment filed July 31, 2007. An Advisory Action filed by the examiner on October 12, 2007, stated that the amendment will be entered.

Appropriate correction is required.

A Supplemental Appeal Brief is required for the claims appendix.

CONCLUSION

Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner:

- 1) to hold the Appeal Brief filed August 23, 2007, defective;
- 2) notify appellants to file a Supplemental Appeal Brief with a correct copy of claims for the Claims Appendix;
- 3) consider the Supplemental Appeal Brief and if the Supplemental Appeal Brief is in compliance, issue and mail a Form PTOL-90 acknowledging receipt and consideration of the Supplement Brief; and
- 4) for such further action as may be appropriate.

Application 09/937,587

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

GJH

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